

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TYRONE NOEL NUNN,

Plaintiff.

v.

UNITED STATES DISTRICT COURT, et al.,

Defendants.

Case No. 2:24-cv-02066-JAD-BNW

ORDER

On November 5, 2024, Plaintiff Tyrone Nunn submitted a civil-rights complaint under 42 U.S.C. § 1983. ECF No. 1-1. But Plaintiff has neither paid the \$405 filing fee nor filed an application to proceed *in forma pauperis* (“IFP”), one of which is necessary to commence a civil action. *See* ECF No. 1.

Plaintiff has filed over 80 pro se lawsuits in this district since July 2023.¹ Dozens of these lawsuits have been dismissed because Plaintiff failed to correct fundamental defects with them like filing a single, signed complaint and either paying the filing fee or filing a complete IFP application. *See, e.g., Nunn v. Department of Corrections*, Case No. 3:24-cv-00050-ART-CLB, ECF No. 4 at 3–4 (D. Nev. Nov. 20, 2024) (collecting cases). Although the Court will give Plaintiff an opportunity to file an IFP application or pay the full filing fee in this case, the Court is considering other case-management options, including recommending immediate dismissal of a case or declaring Plaintiff a vexatious litigant, if his unwillingness to file the documents necessary to initiate a civil action continues. *See Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (holding it is well-established that district courts have the inherent power to control their docket).

As Plaintiff is aware, he must pay the filing fee or file a complete IFP application. For an inmate like Plaintiff to proceed without prepaying the filing fee—that is proceed *in forma pauperis*—the inmate must comply with 28 U.S.C. § 1915(a) and Local Rule LSR 1-2. This requires Plaintiff to submit **three** documents to the Court: (1) a completed **Application to Proceed**

¹ The Court takes judicial notice of the online docket records of the U.S. Courts, which may be accessed by the public at: <https://pacer.uscourts.gov>.

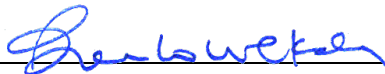
1 ***in Forma Pauperis* for Inmate**, on this Court's approved form (*i.e.* pages 1 through 3 with the
2 inmate's two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate
3 and a prison or jail official (*i.e.* page 4 of this Court's approved form), and (3) a copy of the
4 **inmate's prison or jail trust fund account statement for the previous six-month period**.

5 It is therefore ordered that Plaintiff has **until December 26, 2024**, to either pay the \$405
6 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed *in Forma***
7 ***Pauperis* for Inmate** on the Court's approved form; (2) a **Financial Certificate** properly signed
8 by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust**
9 **fund account statement for the previous six-month period**.

10 It is further ordered that this action will be subject to dismissal without prejudice if Plaintiff
11 fails to timely comply with this order.

12 It is further ordered that the Clerk of the Court will send Plaintiff Tyrone Nunn the
13 approved application to proceed *in forma pauperis* for inmates and information and instructions
14 for the same.

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16 DATED: November 25, 2024

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19 BRENDAN. WEKSLER
20 UNITED STATES MAGISTRATE JUDGE
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